

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Brent M. Nowak, et al.	§	Atty Docket No.: 32450.5
	§	
Application No.: 10/782,135	§	
Patent No.: 7,123,149	§	Examiner: Son M. Tang
	§	
Filing Date: 2/19/2004	§	
Issue Date: 10/17/2006	§	Art Unit: 2612
	§	
Title: Tagging and tracking system for assets and personnel of a commercial enterprise	§	
	§	
	§	

**CORRECTION OF ERRONEOUSLY CLAIMED SMALL ENTITY STATUS
AND NOTICE OF NON-SMALL ENTITY STATUS**

Dear Sir or Madam:

Pursuant to 37 CFR 1.28(c) and 37 CFR 1.27(g)(2), submitted herewith are the itemization and payment of deficiencies required for correction of erroneously claimed status as a small entity. Applicants submit that small entity status may have been established in error or that such status was lost. Applicants further submit that any such error was in good faith and that small entity fees were paid in good faith, and request that the error be excused.

Itemization of the total deficiency payment:

Type of Fee	Date of Erroneous Payment	Amount Paid in Error	Current Fee Amount for Non-Small Entity	Deficiency Owed (Current Fee minus Amount Paid in Error)
Patent Maintenance Fee (Due at 3.5 years) Fee Code: 1551/2551	4/19/2010	\$490	\$980	\$490
			Total Owed	\$490

The Commissioner is hereby authorized to charge the fees in the amount of \$490 described above to Deposit Account No. 03-3483. The Commissioner is also hereby authorized to charge any other deficiency in fees or credit any overpayment to Deposit Account No. 03-3483.

Respectfully submitted,
/court b. allen/

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ATTORNEYS FOR APPLICANTS

Date: April 5, 2011

Electronic submission USPTO EFS Web April 5, 2011

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2009☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 490**Complete if Known**

Application Number	10/782,135
Filing Date	February 19, 2004
First Named Inventor	Brent M. Nowak
Examiner Name	Son M. Tang
Art Unit	2612
Attorney Docket No.	32450.5

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 03-3483 Deposit Account Name: COX SMITH MATTHEWS

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, **except for the filing fee**☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	<u>Small Entity</u> Fee (\$)	Fee (\$)	<u>Small Entity</u> Fee (\$)	Fee (\$)	<u>Small Entity</u> Fee (\$)	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

2. EXCESS CLAIM FEES

<u>Fee Description</u>				<u>Fee (\$)</u>	<u>Fee (\$)</u>
Each claim over 20 (including Reissues)				52	26
Each independent claim over 3 (including Reissues)				220	110
Multiple dependent claims				390	195
<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	
_____ - 20 or HP = _____ x _____ = _____				<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
HP = highest number of total claims paid for, if greater than 20.					
<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	_____	_____
_____ - 3 or HP = _____ x _____ = _____					
HP = highest number of independent claims paid for, if greater than 3.					

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Payment of Deficiency Owed

490

SUBMITTED BY

Signature	/court b. allen/	Registration No. (Attorney/Agent) 43,469	Telephone (210)554-5389
Name (Print/Type)	Courtenay B. Allen		Date April 5, 2011

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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